

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BARING INDUSTRIES, INC.,

Plaintiff,

19cv2829 (JGK)

- against -

ORDER

3 BP PROPERTY OWNER LLC et al.,

Defendants.

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**JOHN G. KOELTL, District Judge:**

For the reasons stated on the record at the teleconference on July 13, 2020, the motion to dismiss the first claim in the Second Amended Complaint is denied and the motion to dismiss the third and fourth claims in the Second Amended Complaint is granted. The Clerk is directed to close all pending motions.

**SO ORDERED.**

Dated: New York, New York

July 13, 2020

/s/ John G. Koeltl

John G. Koeltl

United States District Judge